

AN ORDINANCE

Councilmember Anne Fauver



An Ordinance to amend the Charter of the City of Atlanta adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298, Et. Seq.) as amended, to amend Part I, Subpart A, Article VII, Chapter 3, Section 2-301(c) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, Et Seq.), approved April 15, 1996, as amended, so as to allow elected officials to view a video taped copy of the Elected Officials mandatory training modules; to make the mandatory training apply to newly elected officials only; and for other purposes.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: That Section 2-301 (c) of the Code of Ordinances which reads as follows:

(c) Mandatory training. The mayor, president of the council, and councilmembers shall, following each regular Municipal General Election or such election held in place thereof, attend a mandatory training session that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code and the legislative process. Said mandatory training shall be required of newly elected officials only.

(1) The Municipal Clerk, shall hold, or cause to be held, a training session for all current and newly elected city of Atlanta officials that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code, and the legislative process. Said training session shall be offered on two separate dates, but no later than July 1 of the year following each municipal general election or no later than 60 days following any election held in lieu thereof, and no later than 60 days following a Special Election held to fill a vacancy in office. Persons required to attend shall be present at the entirety of a session, or at a combination of the offered sessions whereby all training modules designated for the particular office held are covered. Attendance as noted shall be mandatory. Each official shall be required to sign an affidavit stating that he/she has completed training, with said affidavit to be certified by the Clerk or the Clerk's designee.

(2) Any official required to attend who has not completed the mandatory training by the end of the second available training session, shall be deemed non-compliant and shall be immediately fined \$50.00. An additional \$100.00 fine shall continuously be assessed each non-compliant official, every 30 days after the date

of non-compliance in which an official has not paid the assessed fine or received a waiver and completed a makeup training session as outlined in subsections (c)(5) and (6) of this section.

(3) All payments of fines shall be paid to the City of Atlanta and shall be submitted to the Municipal Clerk, or designee who shall then record that the fine has been received and forward each payment to the Chief Financial Officer.

(4) Immediately following the second offered training session, and if necessary upon the assessment of further fines, the Municipal Clerk shall notify, by certified mail, each official who has not completed mandatory training that he or she is in non-compliance of the law and of the penalty thereby imposed. The Clerk shall simultaneously notify the Chief Financial Officer of the City, the President of Council and the Chairperson of the Committee on Council of any official's non-compliance. However, failure of receipt of such notification does not relieve the official of the obligation to attend the mandatory training and to pay the assessed fine.

(5) Any non-compliant official may submit, through the Chair of the Committee on Council, a written appeal to the Council requesting a waiver of the assessed fine. Supporting evidence of the reason(s) of his/her non-compliance must be presented in the appeal. If due cause is shown, the Council may adopt a resolution, by majority vote, to waive the fine.

(6) In all such cases, whether the assessed fine is paid or waived, any non-compliant official shall be required to attend a make-up training session scheduled by appointment with the Municipal Clerk. Such session may be provided through a videotaped session, but shall cover in its entirety all required training modules. The non-compliant official's signed affidavit of completion of training and the Clerk's or the Clerk's designee's certification of same, shall be required to avoid further assessments of fines. There shall be no waiver of training attendance granted under any circumstances.

(7) The Municipal Clerk shall develop, or cause to be developed, a manual detailing all of the above.

Be amended to read:

- (c) Mandatory training. The mayor, president of the council, and councilmembers shall, following each regular Municipal General Election or such election held in place thereof, attend a mandatory training session that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code and the legislative process.

(1) The Municipal Clerk, shall hold, or cause to be held, a training session for all **newly** elected city of Atlanta officials that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code, and the legislative process. Said training session shall be offered on two separate dates, but no later than July 1 of the year following each municipal general election or no later than 60 days following any election held in lieu thereof, and no later than 60 days following a Special Election held to fill a vacancy in office. Persons required to attend shall be present at the entirety of a session, or at a combination of the offered sessions whereby all training modules designated for the particular office held are covered. Attendance as noted shall be mandatory. Each official shall be required to sign an affidavit stating that he/she has completed training, with said affidavit to be certified by the Clerk or the Clerk's designee.

Should said official(s) be unable to attend either of the two sessions, s/he may obtain a copy of the video tape of the session which shall include in its entirety, all required training modules.

After viewing the required material, said official shall provide to the Municipal Clerk a signed affidavit, no later than July 1, (or no later than sixty days after a Special Election), stating that the training module has been viewed in its entirety.

(2) Any official required to attend who has not completed the mandatory training by the end of the second available training session, **or provided evidence of having viewed the training video in its entirety, by July 1 of the subject year, or no later than 60 days after a Special Election** shall be deemed non-compliant and shall be immediately fined \$50.00. An additional \$100.00 fine shall continuously be assessed each non-compliant official, every 30 days after the date of non-compliance in which an official has not paid the assessed fine or received a waiver and completed a makeup training session as outlined in subsections (c)(5) and (6) of this section.

(3) All payments of fines shall be paid to the City of Atlanta and shall be submitted to the Municipal Clerk, or designee who shall then record that the fine has been received and forward each payment to the Chief Financial Officer.

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(7) The Municipal Clerk shall develop, or cause to be developed, a manual detailing all of the above.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.